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**Cc:** [MCCLINCY Matt](#); [GAINER Tom](#)  
**Subject:** Performance Standards for CDF  
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Chip & Eric,

DEQ reviewed the LWG's 4/14/10 letter responding to EPA's 2/18/10 letter regarding performance standards for CDFs. Our comments reflect the discussion we had with the LWG during our 4/20 PM meeting & our discussion during today's TCT meeting. We have the following 2 comments.

1) EPA Comment 9- Control GW pathway- EPA's comment states that a CDF should not contribute any long-term discharge &/or release of contaminants above applicable &(sic) relevant & appropriate requirements under federal or state law for surface water in the lower Willamette River. The LWG responds by saying they will consider potential impacts to water quality through groundwater pathways by comparing long-term discharge estimates to appropriate surface water quality criteria. The LWG's response is missing "*&/or release of contaminants*". Is this missing text an important oversight?

2) EPA Comment 10- Performance standards in berm pore water- The LWG states that chemical concentrations should be compared to water criteria over a spatial extent. EPA previously advised the LWG that they could consider spatial averaging for fish consumption AWQC, but not for toxicity AWQC. This comment may not be an issue because in the LWG's last column ("LWG Notes on EPA Verbal Clarification...."), they correctly state that EPA allows spatial averaging for fish consumption criteria, but all other criteria should be applied on a point-by-point basis. I'm just not sure whether the LWG is accepting EPA's advice or simply re-stating EPA's advice.

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